

militia; to provide for districting the State into divisions, brigades, battalions, regiments and companies; and to pass laws for the effectual encouragement of volunteer corps by some mode which may induce the formation and continuance of at least one volunteer company in every county and division in the city of Baltimore. The company, battalion and regimental officers (staff officers excepted) shall be elected by the persons composing their several companies, battalions and regiments.

Sec. 2. The Adjutant General shall be appointed by the Governor, by and with the advice and consent of the Senate. He shall hold his office for the term of six years, and receive the same salary as heretofore, until changed by the Legislature.

## ARTICLE X.

### *Miscellaneous.*

Sec. 1. Every officer of this State, the Governor excepted, the entire amount of whose pay or compensation received for the discharge of his official duties, shall exceed the yearly sum of three thousand dollars, shall keep a book in which shall be entered every sum or sums of money received by him or on his account as a payment or compensation for his performance of official duties, a copy of which entries in said book, verified by the oath of the officer by whom it is directed to be kept, shall be returned yearly to the Treasurer of the State for his inspection, and that of the General Assembly of Maryland; and each of such officers, when the amount received by him for the year shall exceed the sum of three thousand dollars, shall yearly pay over to the Treasurer the amount of such excess by him received, subject to such disposition thereof as the Legislature may deem just and equitable. And any such officer failing to comply with the said requisition, shall be deemed to have vacated his office, and be subject to suit by the State for the amount that ought to have been paid into the treasury.

Sec. 2. The Legislature shall have power to pass all such laws as may be necessary and proper for carrying into execution the powers vested by this Constitution, in any department or office of the government, and the duties imposed upon them thereby.

Sec. 3. If in any election directed by this Constitution any two or more candidates shall have the highest and an equal number of votes, a new election shall be ordered, unless in cases specially provided for by the Constitution.

Sec. 4. The trial by jury of all issues of fact in civil proceedings in the several courts of law of this State, where the amount in controversy exceeds the sum of five dollars, shall be inviolably preserved.

Sec. 5. In the trial of all criminal cases, the jury shall be the judges of law as well as fact.

Sec. 6. The Legislature shall have power to regulate by law all matters which relate to the judges, time, place and manner of holding elections in this State, and of making returns thereof, provided that the tenure and term of office, and the day of election, shall not be affected thereby.

Sec. 7. All rights vested and all liabilities incurred shall remain as if this Constitution had not been adopted.

Sec. 8. The Governor and all officers, civil and military, now holding commissions under this State, shall continue to hold and exercise their offices according to their present tenure, until they shall be superseded pursuant to the provisions of this Constitution, and until their successors be duly qualified.

Sec. 9. The Sheriffs of the several counties of this State and of the city of Baltimore shall give notice of the several elections authorized by this Constitution in the manner prescribed by existing laws for elections under the present Constitution.

Sec. 10. This Constitution, if adopted by a majority of the legal votes cast on the first Wednesday of June next, shall go into operation on the fourth day of July next, and on and after said day shall supersede the present Constitution of this State.

## ARTICLE XI.

### *Amendment of the Constitution.*

It shall be the duty of the Legislature, at its first session immediately succeeding the returns of every census of the United States, hereafter taken, to pass a law for ascertaining, at the next general election of delegates, the sense of the people of Maryland in regard to calling a convention for altering the Constitution; and in case the majority of votes cast at said election shall be in favor of calling a convention, the Legislature shall provide for assembling such convention, and electing delegates thereto at the earliest convenient day; and the delegates to the said convention shall be elected by the several counties of the State and the city of Baltimore, in proportion to their representation respectively in the Senate and House of Delegates, at the time when said convention may be called.

Done in Convention the 13th day of May, in the year of our Lord eighteen hundred and fifty-one, and the independence of the United States the seventy-fifth.

J. G. CHAPMAN,  
President of the Convention.

Attest—GEORGE G. BREWER,  
Secretary to Convention.